



Southeast Fishery Bulletin

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Sargassum Harvesting Requirements Small Entity Compliance Guide

In July 2003, the National Marine Fisheries Service (NOAA Fisheries) partially approved a Fishery Management Plan (FMP) for the Pelagic *Sargassum* Habitat of the South Atlantic Region developed by the South Atlantic Fishery Management Council (SAMFC). Effective November 3, 2003, harvesters must comply with the following regulations in order to harvest or possess *Sargassum* in or from federal waters of the South Atlantic region:

- harvest and possession of *Sargassum* is prohibited south of 34° N. latitude (South Carolina through Florida);
- harvest is restricted to 5,000 pounds of *Sargassum* during November through June from waters 100 nautical miles seaward of the shore off North Carolina;
- a NOAA Fisheries approved observer must be present on each trip; and
- nets used to harvest *Sargassum* must be constructed of 4-inch stretch mesh or larger fitted to a frame no larger than 4 feet by 6 feet.

Background Information

Sargassum is an extremely abundant seaweed that occurs near the surface in warm waters of the western North Atlantic. With an exceptionally fast growth rate, floating rafts of *Sargassum* represent a highly renewable natural resource that can be harvested for various uses. *Sargassum* is also a very important habitat for numerous marine species. Recognizing the importance of *Sargassum* as habitat, the SAFMC previously designated *Sargassum* as essential fish habitat (EFH) for snappers, groupers, and coastal migratory pelagic fishes of the South Atlantic region.

Because of its importance as EFH, the SAFMC is concerned about the impacts of commercial harvest on this resource. Over a 22-year period (1976-1997), 203 mt (448,000 pounds) of *Sargassum* have been harvested off the coast of North Carolina.

The new fishing regulations are intended to limit the impacts of harvest of *Sargassum* from the North Carolina/Virginia boundary through the east coast of Florida, including the Atlantic side of the Florida Keys. These restrictions will reduce bycatch of fishes and hatchling turtles, conserve and protect the *Sargassum* resource, and limit the impacts of fishing on EFH in accordance with requirements set forth by the Magnuson-Stevens Fishery Conservation and Management Act.

Other approved actions in the FMP establish benchmarks by which to monitor the status of the *Sargassum* resource in the South Atlantic region. These benchmarks include the identification of the management unit for *Sargassum* and the designation of certain stock status determination criteria for the management unit.

This Small Entity Compliance Guide complies with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. Any discrepancies between this document and the rule as published in the Federal Register will be resolved in favor of the Federal Register.

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